

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Title of application has been amended by deleting “, and method for production thereof”.

2. Claims 1 to 3 are allowed.

3. The following is an examiner's statement of reasons for allowance: A high strength hot rolled steel sheet as recited in claims 1 to 3 is not taught or fairly suggested by the art of record in view of Applicant's amendment and remarks filed February 22, 2010.

4. Applicant's claimed composition contains 0.4 to 2% Al whereas the applied reference, US Patent No. 6,290,784 to Yasuhara et al. (column 8, lines 48-51) teaches a composition with not more than 0.2% Al and preferably not more than 0.05%Al and specific examples (column 11-12, table 1) contain no more than 0.04% Al. Therefore, prior art does not teach or suggest using Al in an amount of 0.4% or more and fails to provide any motivation that would lead one of ordinary skill in the art to increase the amount of Al to arrive at the claimed Al range of 0.4 to 2.0%.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deborah Yee whose telephone number is 571-272-1253. The examiner can normally be reached on monday-friday 6:00 am-2:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on 571-272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Deborah Yee/
Primary Examiner
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